

### **Listing of Claims**

1. (Currently Amended) A transgenic plant comprising a plant transformation vector comprising a nucleotide sequence that encodes ~~or is complementary to a sequence that encodes~~ an aconitase polypeptide comprising the amino acid sequence of SEQ ID NO:2, or an ortholog thereof, wherein the transgenic plant over-expresses the aconitase polypeptide or the ortholog relative to a non-transgenic control plant, and whereby the transgenic plant has a high oil phenotype relative to the control plantsplant.
2. (Original) The transgenic plant of Claim 1, which is selected from the group consisting of rapeseed, soy, corn, sunflower, cotton, cocoa, safflower, oil palm, coconut palm, flax, castor and peanut.
3. (Original) A plant part obtained from the plant according to Claim 1.
4. (Original) The plant part of Claim 3, which is a seed.
5. (Original) A method of producing oil comprising growing the transgenic plant of Claim 1 and recovering oil from said plant.
6. (Currently Amended) A method of producing a high oil phenotype in a plant, said method comprising:
  - a) introducing into progenitor cells of the plant a plant transformation vector comprising a nucleotide sequence that encodes ~~or is complementary to a sequence that encodes~~ an aconitase polypeptide comprising the amino acid sequence of SEQ ID NO:2, or an ortholog thereof, and
  - b) growing the transformed progenitor cells to produce a transgenic plant, wherein said ~~polynucleotide~~ sequence is over-expressed relative to a non-transgenic control plant, and said transgenic plant exhibits ~~an altered~~ a high oil content phenotype relative to the control plantsplant.
7. (Original) A plant obtained by a method of Claim 6.

8. (Original) The plant of Claim 7, which is selected from the group consisting of rapeseed, soy, corn, sunflower, cotton, cocoa, safflower, oil palm, coconut palm, flax, castor and peanut.

9-11. (Canceled)